

## **Exhibit 4**

### **August 3, 2018 Email Chain between Counsel**

**Subject:** RE: [EXT] RE: Strike 3 Holdings, LLC v. John Doe (USDC WAWD 2:17-cv-01731-TSZ)  
**From:** "Bandlow, Lincoln" <lbandlow@foxrothschild.com>  
**Date:** 8/3/2018 3:43 PM  
**To:** "J. Curtis Edmondson" <jcedmondson@edmolaw.com>, Kiren Rockenstein <kiren@edmolaw.com>, "Case, Bryan" <bcase@foxrothschild.com>

Mr. Edmondson,

Stop with your nonsense. Take that bush-league false record baloney somewhere else. Maybe you're dipping too much into that bad scotch you said you get paid with.

We never said we don't have the PCAP or in any way indicated to you ANYTHING about our prelawsuit due diligence, which was significant and more than sufficient to meet any and all obligations. WE CATEGORICALLY REJECT EVERYTHING YOU SAID IN YOUR EMAIL. You are so full of it I'm not even sure I agree with your signature line!

I note that you are already breaching your agreement in our call that you would give us your client's address, so we will not be giving you anything.

As for your representing the members of the family: good. Because the son appears to be a rampant infringer of copyright. And it is not just my client's works. And we shall see if the father was an infringer and/or was aware of the infringement and materially contributing to it.

Give us dates for your client and his son and I will give you dates. Otherwise, serve them.

There will be no further telephonic communications in this matter. You cannot be trusted to accurately report the time of day much less what is said in a conversation. All communications from this point forward will be made in writing.

**Lincoln Bandlow**

Partner

**Fox Rothschild LLP**

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**From:** J. Curtis Edmondson <jcedmondson@edmolaw.com>  
**Sent:** Friday, August 03, 2018 2:45 PM  
**To:** Kiren Rockenstein <kiren@edmolaw.com>; Bandlow, Lincoln <lbandlow@foxrothschild.com>; Case, Bryan <bcase@foxrothschild.com>; jcedmondson@edmolaw.com  
**Subject:** [EXT] RE: Strike 3 Holdings, LLC v. John Doe (USDC WAWD 2:17-cv-01731-TSZ)

Bryan.

It was clear from our conversation that your prelawsuit due diligence was inadequate. You do not even have the PCAP that Pasquale referenced in his declaration, nor did you inspect the single PCAP that led to the initiation of this case.

When you provide us with the 87 PCAPs, I will consider responding to your informal discovery request for the address. It is clear you have done an investigation on my client to the extent that an address is unnecessary. But you are free to send an interrogatory on this issue.

At this time I represent all members of the defendant's family. I cannot say the same for neighbors, visitors, or anyone driving by who may have access to wifi (yet). This assumes, *en arguendo*, that your software is 100% accurate, which it is not.

From our conversation, it is apparent that this case is nothing more than a fishing expedition for you. Early on, we provided you a declaration of non-infringement. You chose not to dismiss with that information.

It is apparent that Mr. Lanksy is filing false declarations in these cases when he states:

***We are careful not to proceed with a case against a defendant unless we feel we have a strong case and a good faith basis for doing so. We will not pursue defendants that provide substantiated exculpatory evidence. Nor will we pursue defendants that have proven hardships. Our clear objective is to be mindful and reasonable with each case.***

You cannot have a "good faith basis" for suit unless you have reviewed the raw data that forms the basis for the suit. Also, not providing data in response to discovery requests is not "mindful and reasonable".

Please provide dates and locations for Mr. Pasquale's and Ms. Stalzer's depositions during the week of September 4-7. If you are not willing to accept deposition subpoenas on their behalf, please let me know and I will make arrangements to have them served.

In Best Regards,

J. Curtis Edmondson, Patent Attorney | Edmondson IP Law  
USPTO 57027 | CA SBN 236105 | WA SBN 43795 | DC BAR NO 998407 | CA PE 13377 | WA PE 43728  
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On August 3, 2018 at 5:09 PM "Case, Bryan" <[bcase@foxrothschild.com](mailto:bcase@foxrothschild.com)> wrote:

Thanks for your email and time today. We disagree with the highlighted statement below. The investigation prior to filing this lawsuit was more than adequate.

As we discussed, please provide your client's physical address associated with the IP address in this case.

Regards,

Bryan

**Bryan Case**

Partner

**Fox Rothschild LLP**

Direct: (206) 389-1643

Cell: (425) 890-5112

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**From:** Kiren Rockenstein <[kiren@edmolaw.com](mailto:kiren@edmolaw.com)>

**Sent:** Friday, August 3, 2018 1:14 PM

**To:** Bandlow, Lincoln <[ibandlow@foxrothschild.com](mailto:ibandlow@foxrothschild.com)>; Case, Bryan <[bcase@foxrothschild.com](mailto:bcase@foxrothschild.com)>

**Cc:** J. Curtis Edmondson <[jcedmondson@edmolaw.com](mailto:jcedmondson@edmolaw.com)>

**Subject:** RE: [EXT] Strike 3 Holdings, LLC v. John Doe (USDC WAWD 2:17-cv-01731-TSZ)

Bryan and Lincoln,

To follow up on our call earlier today:

1 – Our position is that discovery in this case opened on 04/03/2018 pursuant to FRCP 26, we are still confused as to why you cannot produce material that should have formed the foundation of your complaint. It is clear from our discussion that the investigation prior to filing that case was inadequate as you claim to have none of the PCAPs under your possession and control. Only by inspection of the PCAPs can one determine that any infringement has occurred.

2 – It is our understanding that you will talk with your client about providing the single PCAP that is referenced in the Pasquale declaration file in support of your *ex parte* motion for early discovery (Docket 4-4).

3 – We will continue our meet and confer on the matter of the outstanding discovery until Thursday August 9<sup>th</sup>.

4 – It is our understanding that you will confer with your client about resolving this case.

As we have indicated, our client is open to resolving this matter, and we look forward to your proposal.

Regards,

- Kiren

On August 3, 2018 at 10:24 AM "Case, Bryan" <[bcase@foxrothschild.com](mailto:bcase@foxrothschild.com)> wrote:

Kiren and Curt,

Are you free for a call today on this?

Bryan

**Bryan Case**

Partner

**Fox Rothschild LLP**

Direct: (206) 389-1643

Cell: (425) 890-5112

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**From:** Kiren Rockenstein <[kiren@edmolaw.com](mailto:kiren@edmolaw.com)>

**Sent:** Thursday, August 2, 2018 3:12 PM

**To:** Case, Bryan <[bcase@foxrothschild.com](mailto:bcase@foxrothschild.com)>; Bandlow, Lincoln  
<[ibandlow@foxrothschild.com](mailto:ibandlow@foxrothschild.com)>

**Cc:** J. Curtis Edmondson <[jcedmondson@edmolaw.com](mailto:jcedmondson@edmolaw.com)>

**Subject:** [EXT] Strike 3 Holdings, LLC v. John Doe (USDC WAWD 2:17-cv-01731-TSZ)

Dear Counsel,

Please see letter attached.

Regards,

Kiren Rockenstein | Attorney

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Kiren Rockenstein | Attorney

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